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Attorney for Ricardo Avalos

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v RICARDO AVALOS, Defendant.	CASE NO. 08CR1269-L NOTICE OF MOTION AND MOTION FOR DISCOVERY DATE: May 27, 2008 TIME: 2:00 p.m.

TO : THE ABOVE NAMED PLAINTIFF AND ITS ATTORNEY, KAREN P. HEWITT;

PLEASE TAKE NOTICE that on the above date and time, before the Honorable m. James Lorenz, Ricardo Avalos (Avalos) by and through his attorney George W. Hunt, will move for an order directing the U.S. Attorney to provide the below listed discovery.

This Motion is based upon the instant Notice, the files and records of this case, the attached Memorandum of Points and Authorities, and any and all matters presented prior to or at the time of said hearing.

Dated: May 3, 2008 Respectfully submitted,

s/george w. hunt

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v RICARDO AVALOS, Defendant.	CASE NO. 08CR1269 L MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR DISCOVERY DATE: May 27, 2008 TIME: 2:00 p.m.

FACTS:

On April 23, 2008 Avalos was Indicted for Deported Alien Found In The United States after he had been arrested for the offense on March 28, 2008.

LAW AND ARGUMENT:

Defendants Statements. Under Fed. R. Crim. P. (FRCP)16(a)(1)(a) the defendant is entitled to disclosure of all copies of any written or recorded statements made by him.

Arrest Reports, Notes, Dispatch Tapes. Defendant requests all arrest reports, notes and dispatch, or any other tapes relating to his arrest be provided to her pursuant to FRCP 16(a)(1)(A), and Brady v Maryland, 373 U.S. 83 (1963).

The Defendants prior record Record. This is to be made available pursuant to FRCP 16(a)(1)(B).

Giglio Information. Defendant requests any statements and/or promises, express or implied, made to any government witness in exchange for their testimony in this case, and other information which could arguably be used for the impeachment of any government witneses. Giglio v. United States, 405 U.S. 150 (1972).

The defendants immigration file to challenge the deportation.

CONCLUSION:

Defendant respectfully requests the court grant his Motion.

Dated: May 3, 2008 Respectfully submitted,

s/ george w. hunt

PROOF OF SERVICE

Electronic Mail Notice List

1. The following are those who are currently on the list to receive e-mail notices for this case.

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